

BEFORE THE PUBLIC UTILITIES COMMISSION OF  
THE STATE OF CALIFORNIA



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Order Instituting Rulemaking Regarding  
Emergency Disaster Relief Program

R.18.03-011  
Filed March 22, 2018

WORKSHOP STATEMENT OF THE CENTER FOR ACCESSIBLE TECHNOLOGY,  
THE UTILITY REFORM NETWORK, AND NATIONAL CONSUMER LAW  
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## I. INTRODUCTION

In accordance with the schedule set in the *Assigned Commissioner and Administrative Law Judge's Ruling Noticing Workshops and Ordering Workshop Statements*, issued on October 1, 2018, the Center for Accessible Technology, The Utility Reform Network, and National Consumer Law Center (collectively the Joint Consumers), submit this workshop statement regarding Section 3.1, Expansion of 211 Service During Emergencies.

## II. DISCUSSION

A. **Should the Commission consider the features of 211 emergency service in the context of this proceeding? If yes, explain the suggested role of 211 emergency service.**

Joint Consumers urge the Commission to further investigate the role of emergency 211 service to educate consumers about the billing relief efforts and other emergency relief measures contemplated in this proceeding. Emergency 211 service is an important resource and potential partner for the utilities, communications providers, and Commission to enhance efforts to protect California consumers during natural disasters.

In 2000, the FCC designated 211 as the phone number for access to community information and referral services, and the FCC delegated authority to states to create local 211 programs.<sup>1</sup> In 2003 the Commission issued D.03-02-029, which adopted policies and procedures to implement 211 service in California in accordance with the FCC's order.<sup>2</sup> 2-1-1 California is the Commission's designated Lead Entity and is overseen by the California Association of Information and Referral Services and the United Way of

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<sup>1</sup> D.11-09-016, *Decision Granting Authority to Provide Emergency Access To 211 Services in Counties and Localities Without Existing 211 Centers and To Appoint A 211 Lead Entity*, September 13, 2011, at p. 3, citing FCC N11 *Third Report & Order* (Rel. July 31, 2001), para 52.

<sup>2</sup> *Id.* at p. 4; see D.03-02-029 at p. 2.

California, and the service is operated county-by-county by private community service organizations, local government agencies, or local affiliates of the United Way of America.<sup>3</sup> “When an individual dials 211 (free of charge to the caller), a local exchange carrier (LEC) routes the call to the authorized 211 provider in the service area of the caller. The 211 service provider then responds to requests from the caller regarding social services.”<sup>4</sup>

Since being implemented, 211 service has evolved beyond its original purpose of providing information and referral services to become an important source of information during emergencies like wildfires.<sup>5</sup> While 211 service broadly covers the state, there are large swaths of sparsely populated rural areas, mostly in Northern and Eastern California, that are unserved.<sup>6</sup> D.11-09-016 expanded 211 service in times of emergency to regions of the state that are not generally covered by 211 service. This emergency 211 service is provided in the same manner as all other 211 service, with these emergency 211 providers creating agreements with LECs to route the 211 calls appropriately during emergencies.<sup>7</sup>

The Commission noted in D.11-09-016 that the use of 211 to provide important information during emergencies allows 911 service to remain available for police,

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<sup>3</sup> *Id.* at p. 7, Ordering Paragraphs 9-11.

<sup>4</sup> *Id.* at p. 7.

<sup>5</sup> *Id.* at p. 9.

<sup>6</sup> *Id.* at p. 9. As of December 1, 2016, 10 counties did not have Commission-approved 211 service, and 10 counties’ 211 service was in development. *See* About 2-1-1 CA (last updated December 1, 2016) retrieved from <https://www.211ca.org/about-2-1-1> (last viewed October 16, 2018). *See also* California Public Utilities Commission, 211 Information Services (last updated November 2015), retrieved from <http://www.cpuc.ca.gov/General.aspx?id=7846> (last viewed October 16, 2018). It is unclear how many more counties – if any – the Commission has approved for standard 211 services since December 2016.

<sup>7</sup> D.11-09-016 p. at 11. There is, of course overlap, so that some standard 211 providers are also emergency- 211 providers in different areas.

medical, and fire service.<sup>8</sup> In line with this decision, in 2016 Senate Bill 1212 amended §280 of the California Public Utilities Code, to authorize the Commission to use up to \$1.5 million from the California Teleconnect Fund Administrative Committee Fund for disaster preparedness purposes to help close gaps in 211 service for those counties lacking standard service.<sup>9</sup>

While emergency 211 service was expanded to counties that were otherwise unserved through D.11-06-019 and the funding was authorized in SB 1212, the standards that govern these services are slightly different than the current criteria for interim disaster relief consumer protections.<sup>10</sup> For example, the Commission requires that emergency 211 service operate without interruption during a “declared emergency.”<sup>11</sup> The definition of a “declared emergency” is broader than the definition in the Interim Rules and encompasses emergencies “declared by a government office of emergency services or governmental official in charge of response to an emergency.”<sup>12</sup> The current emergency 211 service rules also require 211 providers to communicate with local emergency agencies to alert them when the emergency 211 service is activated, so that those agencies can alert the public that the 211 service is available.<sup>13</sup> Therefore, emergency 211 service will likely be available whenever the Governor declares a state of emergency, the current triggering mechanism for the utility customers’ disaster relief

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<sup>8</sup> *Id.* at p. 11.

<sup>9</sup> SB 1212 (Hueso) §2.g.1.

<sup>10</sup> D.18-08-004.

<sup>11</sup> *See* D.11-09-016, Attachment B (Final Guidelines for Commission Staff Application Letter Review 211 Emergency Service, Rule 2(o)).

<sup>12</sup> *Id.* at Section F.

<sup>13</sup> *See* D.11-09-016, Attachment A (Final Rules Governing Appointment of 211 Service Lead Entity, Rule 5(i)).

measures, and, pursuant to D.11-06-016, local emergency relief officials should be notified about the availability of this service.<sup>14</sup>

In this proceeding, the Commission should further consider how to effectively support the use of emergency 211 service by reviewing the current emergency 211 service requirements and applying relevant requirements here. As discussed below, the Commission can also require coordination and communication between the Respondents to this proceeding and the emergency 211 providers to ensure that the utilities make their customers aware of the 211 services and that the emergency 211 services make their callers aware of the billing relief offered by utilities pursuant to the requirements in these rules. The Commission can also create clear guidelines for the time frame that emergency 211 service will be available to disaster victims if not already part of the rules, and other possible methods to inform customers of the availability of utility disaster relief when emergency 211 service is no longer available.<sup>15</sup>

**B. How could 211 providers and CalOES work collaboratively to improve the benefits of 211 service?**

As discussed above, the current emergency 211 service rules contemplate coordination between local emergency services offices and the emergency 211 service prior to and during an emergency.<sup>16</sup> And, in 2011, the Commission acknowledged that

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<sup>14</sup> Joint Consumers acknowledge that the Commission is considering expanding the triggering mechanism to include federal and local states of emergencies. By the definition provided above, emergency 211 will be available in unserved areas under those triggering mechanisms as well.

<sup>15</sup> D.11-09-016 refers multiple times to the “entire duration of the declared emergency,” but does not seem to provide guidance on what that entails. *See, e.g.*, D.11-09-016, Attachment B, at p. 3 (“The information provided by a live person working for an [sic] 211 ES provider during a declared emergency must be updated in real time during the entire duration of a declared emergency, as updated information is received from governing emergency services/providers.”)

<sup>16</sup> D.11-09-016 at p. 10 (stating one reason to appoint a Lead Entity is specifically to coordinate with CalOES to avoid multiple 211 agencies contacting multiple local agencies. The Rules require emergency 211 service to “follow the applicable command and control structure of the governing office of emergency services in the locale of the declared emergency”).

211 California, as the Lead Entity, should work closely with local emergency services offices and CalOES.<sup>17</sup> Therefore, Joint Consumers urge the Commission to review the role that emergency 211 providers and the Lead Entity have played during recent emergencies and whether this agency coordination was successful or whether coordination at the local level was deemed more effective. Without an understanding of current practices, Joint Consumers do not have recommendations for further collaboration at this time, but we look forward to reviewing the recommendations of other parties on this issue.

C. **Explain how any coordination or outreach efforts by communications providers of voice services could make 211 emergency service more helpful to Californians.**

Standard 211 service is available both during and between emergencies, and is currently available to 96% of Californians. In 2016, 211 services received 2.8 million inquiries from residents.<sup>18</sup> The same year, Californians made 28.5 million calls to 911.<sup>19</sup> While the functions and services offered by the two numbers are not identical, the huge difference in the number of calls to each service suggests that many in California are unaware that they have access to 211 service. The most populous counties in the state have standard 211 service (available at all times, not only during emergencies), but the size of the population actually utilizing this service is relatively small. These low numbers indicate the need to educate the public about the availability of 211 service, especially its importance and value during an emergency. Californians in areas of the state that only have access to emergency 211 service, not standard service, are likely to

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<sup>17</sup> D.11-09-016 at pp. 10-11.

<sup>18</sup> *About 2-1-1 CA*, <https://www.211ca.org/about-2-1-1>.

<sup>19</sup> State of California Official E9-1-1 Call Statistics, CalOES, compiled on January 29, 2018, <http://www.caloes.ca.gov/PublicSafetyCommunicationsSite/Documents/2017OfficialCallTotalBreakdownSpreadsheet.pdf>.

have even lower levels of awareness of this resource due to the focused nature of the services offered and the intermittent availability.

Communications providers should play an important role in ensuring that Californians know that 211 services exist in times of emergency. While Joint Consumers recognize that consumer education and awareness must be a broad effort, the providers can and should be expected to play a vital role in consumer outreach.

To ensure that residents know that 211 is a resource available in an emergency, communications providers should reach out to customers and inform them that the service exists, both before and during an emergency. This information can be included on bills or as bill inserts, as well as in any communications regarding emergencies that may be sent to notify consumers of other Commission disaster relief efforts, including the billing relief contemplated by this docket.<sup>20</sup> Such outreach and awareness efforts are especially important in counties like Lake County that have been affected by fires, but do not offer standard 211 service outside of emergency situations.<sup>21</sup> Where residents are not normally provided 211 service, they are unlikely to know that service is available during an emergency unless directly informed in conjunction with other emergency alerts. Yet notification is critical because in emergency situations large enough to warrant a declaration of an emergency, it is particularly beneficial for customers to use 211 service for non-emergency questions and inquiries that do not require immediate action by first responders, thus alleviating pressure on 911 and making 911 more available for emergencies that do require immediate action.

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<sup>20</sup> See D.18-08-004 and Resolutions M-4833 and M-4835.

<sup>21</sup> For a map showing which California counties have 211 services, see <https://www.211ca.org/about-2-1-1>.

In terms of coordination, communications providers should work internally and with 2-1-1 California to ensure that the 211 emergency services are reliable in times of disaster. San Diego County, for example, has standard 211 service, but its residents faced issues trying to access 211 during the Lilac Fire in 2017. It was reported that San Diego County's 211 service was unavailable for many customers after the fire broke out; the volume of calls received by the service resulted in significant delays for callers; and, at least one person reported receiving a recording from Verizon saying the line was disconnected.<sup>22</sup> If a large urban region with standard 211 service faces such outages due to connection and overload issues during an emergency, a region with emergency-only 211 service may face connection issues if the LEC does not have the capacity to handle such a sudden and unexpected high volume of calls. While such outages may be isolated, they can come with terrible consequences for victims of emergencies, and providers should take steps to avoid such failures. While different aspects of network resiliency are being reviewed in other dockets,<sup>23</sup> Joint Consumers look forward to reviewing the recommendations of other parties in this docket regarding ways to ensure that communications providers are working to strengthen and promote emergency 211 service in their service areas.

### **III. CONCLUSION**

Joint Consumers are pleased to provide this information in anticipation of the upcoming workshops scheduled in this proceeding. We look forward to working with

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<sup>22</sup> *2-1-1 San Diego overwhelmed amid flood of emergency calls*, The San Diego Tribune, December 7, 2017, <http://www.sandiegouniontribune.com/news/watchdog/sd-me-211-sandiego-20171207-story.html>.

<sup>23</sup> See, e.g., I.14-05-012 (Rural Call Completion) and service quality and network studies being performed in R.11-11-007 (CHCF-A) and R.11-12-001 (Service Quality).



other parties and stakeholders as these important questions of disaster relief are considered by the Commission.

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Respectfully submitted,

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